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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,598	08/13/2001	James R. Gloudemans II	SPTV-01076US0	9183
28554	7590	11/17/2006	EXAMINER	
VIERRA MAGEN MARCUS & DENIRO LLP			DO, ANH HONG	
575 MARKET STREET SUITE 2500			ART UNIT	
SAN FRANCISCO, CA 94105			PAPER NUMBER	
			2624	

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/929,598

Applicant(s)

GLOUDEMANS ET AL.

Examiner

ANH H. DO

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) 14 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-13, 15-30, and 32-60 is/are allowed.
- 6) ☒ Claim(s) 1 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1 and 31 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolle et al. (U.S. Patent no. 5,546,475) in view of Taylor (U.S. Patent No. 6,331,871).

Regarding claim 1, Bolle discloses:

- receiving a set of two or more images of a scene (Fig. 1: frame grabber 142 for receiving a set of images from camera 120);
- identifying a foreground for at least a subset of said images of said scene (col. 11, lines 11-13).

Bolle does not disclose expressly creating a video of said scene conveying an illusion of a camera moving around said scene, said step of creating of a video is based on said set of two or more images and said step of identifying foreground, wherein said scene appears frozen in time in said illusion of said camera moving around said scene.

Taylor discloses creating a video of said scene 12 conveying an illusion of a

camera 10 moving around said scene 12, said step of creating of a video is based on said set of two or more images and said step of identifying foreground, wherein said scene 12 appears frozen in time in said illusion of said camera 10 moving around said scene 12 (Figs. 1, 8(a) and 8(b); and col. 8, lines 12-24).

Bolle and Taylor are combinable because they are from camera system.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to create a video of the scene conveying an illusion of a camera moving around the scene in Bolle as taught by Taylor.

The suggestion/motivation for doing so would have been to freeze a scene in a motion picture in which the images comprising the frozen scene embody a blur caused by the movement of the cameras while recording the frozen scene; the motion blur smoothes the transition of from frame to frame when the motion picture image is reconstituted for viewing by the human eyes (Taylor, col. 5, lines 18-24).

Therefore, it would have been obvious to combine Bolle with Taylor to obtain the invention as specified in claim 1.

Regarding claim 31, since this claim recites the similar features as those in claim 1, the discussion of claim 1 is applied hereto.

Allowable Subject Matter

4. Claims 2-13, 15-30, 32-60 are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding independent claim 2, the prior art, taken either singly or in combination, does not teach:

- creating a video... said union identifies said foreground.

Regarding claims 3-5, since these claims depend from claim 2, they are also allowable for the same reason.

Regarding independent claim 6, the prior art, taken either singly or in combination, does not teach:

- creating a video... of one or more video images.

Regarding claims 7-13, since these claims depend from claim 6, they are also allowable for the same reason.

Regarding independent claim 15, the prior art, taken either singly or in combination, does not teach:

- creating a video... unwarping said new images.

Regarding independent claim 16, the prior art, taken either singly or in combination, does not teach:

- creating a video... into said video.

Regarding independent claim 17, the prior art, taken either singly or in combination, does not teach:

- creating a video... into said video.

Regarding independent claim 18, the prior art, taken either singly or in combination, does not teach:

- creating a video... into said video.

Regarding independent claim 19, the prior art, taken either singly or in combination, does not teach:

- creating a video... into said video.

Regarding independent claim 20, the prior art, taken either singly or in combination, does not teach:

- creating a video... different angles.

Regarding claims 21-26, since these claims depend from claim 20, they are also allowable for the same reason.

Regarding independent claim 27, the prior art, taken either singly or in combination, does not teach:

- creating a union... said union identifies said foreground.

Regarding claims 28-30, since these claims depend from claim 27, they are also allowable for the same reason.

Regarding independent claim 32, the prior art, taken either singly or in combination, does not teach:

- creating a video... identifies said foreground.

Regarding independent claim 33, the prior art, taken either singly or in combination, does not teach:

- creating a video... into said video.

Regarding independent claim 34, the prior art, taken either singly or in combination, does not teach:

- creating a video... into said video.

Regarding independent claim 35, the prior art, taken either singly or in combination, does not teach:

- creating a video... into said video.

Regarding independent claim 36, the prior art, taken either singly or in combination, does not teach:

- creating a video... unwarping said new images.

Regarding independent claim 37, the prior art, taken either singly or in combination, does not teach:

- one or more processors... identifying foreground.

Regarding claims 38-41, since these claims depend from claim 37, they are also allowable for the same reason.

Regarding independent claim 42, the prior art, taken either singly or in combination, does not teach:

- creating one or more... different angles.

Regarding claims 43-46, since these claims depend from claim 42, they are also allowable for the same reason.

Regarding independent claim 47, the prior art, taken either singly or in combination, does not teach:

- one or more processors... different angles.

Regarding claims 48-52, since these claims depend from claim 47, they are also allowable for the same reason.

Regarding independent claim 53, the prior art, taken either singly or in

combination, does not teach:

- creating a union... identifies said foreground.

Regarding claims 54-56, since these claims depend from claim 53, they are also allowable for the same reason.

Regarding independent claim 57, the prior art, taken either singly or in combination, does not teach:

- one or more processors.... Identifies said foreground.

Regarding claims 58-60, since these claims depend from claim 57, they are also allowable for the same reason.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH H. DO whose telephone number is 571-272-7433. The examiner can normally be reached on 5/4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW BELLA can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 13, 2006.



**ANH HONG DO
PRIMARY EXAMINER**